

Bill
Dickson Truman
By: Lyman et al.
Proven

S.J.R. No. 4

SENATE
A JOINT RESOLUTION

1 proposing a constitutional amendment providing for the
2 authorization for issuance of general obligation bonds for
3 acquiring, constructing, or equipping new corrections institutions,
4 mental health and mental retardation institutions, and youth
5 corrections institutions and for major repair or renovation of
6 existing facilities of those institutions.

7 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

8 SECTION 1. Article III, Section 49-h, of the Texas
9 Constitution is amended by adding Subsection (d) to read as
10 follows:

11 (d)(1) The legislature may authorize the issuance of up to
12 \$1.1 billion in general obligation bonds, in addition to the
13 amounts authorized by Subsections (a) and (c) of this section, and
14 may use the proceeds of the bonds for acquiring, constructing, or
15 equipping new corrections institutions, mental health and mental
16 retardation institutions, and youth corrections institutions and
17 for major repair or renovation of existing facilities of those
18 institutions.

19 (2) The provisions of Subsection (a) of this section
20 relating to the review and approval of bonds and the provisions of
21 Subsection (b) of this section relating to the status of the bonds
22 as a general obligation of the state and to the manner in which the
23 principal and interest on the bonds are paid apply to bonds
24 authorized under this subsection.

7-17-91

7-18-91

1 Replaced by Conference Report

1 SECTION 2. This proposed constitutional amendment shall be
2 submitted to the voters at an election to be held on November 5,
3 1991. The ballot shall be printed to provide for voting for or
4 against the proposition: "The constitutional amendment authorizing
5 the issuance of general obligation bonds for acquiring,
6 constructing, or equipping new corrections institutions, mental
7 health and mental retardation institutions, and youth corrections
8 institutions and for major repair or renovation of existing
9 facilities of those institutions."

**FAVORABLY AS AMENDED
SENATE COMMITTEE REPORT ON**

SB SCR (SJR) SR HB HCR HJR 4

By Lyon
(Author/Senate Sponsor)

July 17, 1991
(date of submission to Senate)

Lt. Governor Bob Bullock
President of the Senate

Sir:
We, your Committee on Administration, to which was referred the attached measure,
have on July 16, 1991, had the same under consideration and I am instructed to report it
(date of hearing)
back with the recommendation (s) that it:

- ☒ do pass with 1 amendments, and be printed
() do pass with _____ amendments, and be ordered not printed
() and is recommended for placement on the Local and Uncontested Bills Calendar.

- A fiscal note was requested. ☒ yes () no
A revised fiscal note was requested. ☒ yes ☒ no
An actuarial analysis was requested. () yes () no
Considered by subcommittee. () yes () no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Haley	✓			
Brooks	✓			
Barrientos	✓			
Dickson	✓			
Glasgow	✓			
Green	✓			
Lyon	✓			
Montford	✓			
Parker		✓		
Sims	✓			
Whitmire	✓			
TOTAL VOTES	10	1		

COMMITTEE ACTION

- S260 Considered in public hearing
S270 Testimony taken

Manuel Whitell - Davis
COMMITTEE CLERK

Bill Haley
CHAIRMAN

Paper clip the original and one copy of this signed form to the original bill along with THREE signed copies of each committee amendment adopted
Deliver one copy of this form to the Calendar Clerk, Room 218 Capitol
Deliver one copy of this form to the Legislative Reference Library, Room 207B Capitol
Retain one copy of this form for Committee files

Lyon

COMMITTEE AMENDMENT NO. 1

Change alignment

1 Amend S.J.R. No. 4 in Section 1, in Article III, Section
2 49-h, Subsection (d)(1) (page 1, line 12), by striking "\$417.2
3 million" and substituting "\$1.1 billion".

ADOPTED

JUL 18 1991

Steve Ling
Secretary of the Senate

com. am. # 1

7-17-91

7-18-91

ph


7/17/91

*Replaced by
Conference Report*

AMEND THE CAPTION TO CONFORM
TO THE BODY OF THE BILL

ADOPTED

JUL 18 1991


Secretary of the Senate

July 18 1991 Engrossed
Latsy Spaw
Engrossing Clerk

1991 JUL 19 AM 9:10 I certify that the attached is a true and correct
copy of SJR 4 which was
received from the Senate on 7-19-91 and
referred to the Committee on Appropriations
Bertie Murrell
Chief Clerk of the House

By: Lyon, et al.

S.J.R. No. 4

SENATE JOINT RESOLUTION

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2 authorization for issuance of general obligation bonds for
3 acquiring, constructing, or equipping new corrections institutions,
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9 Constitution is amended by adding Subsection (d) to read as
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12 \$1.1 billion in general obligation bonds, in addition to the
13 amounts authorized by Subsections (a) and (c) of this section, and
14 may use the proceeds of the bonds for acquiring, constructing, or
15 equipping new corrections institutions, mental health and mental
16 retardation institutions, and youth corrections institutions and
17 for major repair or renovation of existing facilities of those
18 institutions.

19 (2) The provisions of Subsection (a) of this section
20 relating to the review and approval of bonds and the provisions of
21 Subsection (b) of this section relating to the status of the bonds
22 as a general obligation of the state and to the manner in which the
23 principal and interest on the bonds are paid apply to bonds
24 authorized under this subsection.

1 SECTION 2. This proposed constitutional amendment shall be
2 submitted to the voters at an election to be held on November 5,
3 1991. The ballot shall be printed to provide for voting for or
4 against the proposition: "The constitutional amendment authorizing
5 the issuance of general obligation bonds for acquiring,
6 constructing, or equipping new corrections institutions, mental
7 health and mental retardation institutions, and youth corrections
8 institutions and for major repair or renovation of existing
9 facilities of those institutions."

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

July 17, 1991

**TO: Honorable Bill Haley, Chairman
Committee on Administration
Senate Chamber
Austin, Texas**

**IN RE: Senate Joint Resolution No. 4, as
amended
First Called Session
By: Lyon**

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 4, as amended, First Called Session (proposing a constitutional amendment providing for the authorization for issuance of general obligation bonds for acquiring, constructing, or equipping new corrections institutions, mental health and mental retardation institutions, and youth corrections institutions and for major repair or renovation of existing facilities of those institutions) this office has determined the following:

The resolution proposes a constitutional amendment which, if adopted, would authorize the issuance of up to \$1.1 billion in bonds for acquiring, constructing and equipping new corrections institutions, mental health and mental retardation institutions, and youth corrections institutions and for major repair or renovation of existing facilities.

The probable fiscal implication of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Probable Debt Service Cost Out of the General Revenue Fund</u>	<u>Probable Debt Service Cost Out of the State Highway Fund</u>
1992	\$ 18,494,000	\$ 104,000
1993	101,894,000	573,000
1994	101,894,000	573,000
1995	101,894,000	573,000
1996	101,894,000	573,000

Similar annual costs would continue until the bonds are repaid. Total payout for the bonds is estimated to be \$2.1 billion.

The cost of publication of the resolution to the State is \$60,000.

To the extent the construction of new prisons facilities reduces the number of prisoners held in county correctional facilities, the resolution would result in a savings to counties.

The proposed amendment would be submitted to the voters on November 5, 1991.

**Source: Texas Performance Review; Bond Review Board;
LBB Staff: JO, JWH, DF, RS, LC**

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE

July 15, 1991

TO: Honorable Bill Haley, Chairman
Committee on Administration
Senate Chamber
Austin, Texas

IN RE: Senate Joint Resolution No. 4,
First Called Session
By: Lyon

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 4, First Called Session (proposing a constitutional amendment providing for the authorization for issuance of general obligation bonds for acquiring, constructing, or equipping new corrections institutions, mental health and mental retardation institutions, and youth corrections institutions and for major repair or renovation of existing facilities of those institutions) this office has determined the following:

The resolution proposes a constitutional amendment which, if adopted, would authorize the issuance of up to \$417.2 million in bonds for acquiring, constructing and equipping new corrections institutions, mental health and mental retardation institutions, and youth corrections institutions and for major repair or renovation of existing facilities.

The probable fiscal implication of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal</u> <u>Year</u>	<u>Probable Debt Service</u> <u>Cost Out of the</u> <u>General Revenue Fund</u>	<u>Probable Debt Service</u> <u>Cost Out of the</u> <u>State Highway Fund</u>
1992	\$ 20,009,000	\$ 296,000
1993	40,018,000	593,000
1994	40,018,000	593,000
1995	40,018,000	593,000
1996	40,018,000	593,000

Similar annual costs would continue until the bonds are repaid. Total payout for the bonds is estimated to be \$811.8 million.

The cost of publication of the resolution to the State is \$60,000.

To the extent the construction of new prisons facilities reduces the number of prisoners held in county correctional facilities, the resolution would result in a savings to counties.

The proposed amendment would be submitted to the voters on November 5, 1991.

Source: Texas Performance Review;
LBB Staff: JO, JWH, DF, RS, PA

HOUSE COMMITTEE REPORT

91 JUL 21 AM 1:35

HOUSE OF REPRESENTATIVES

1st Printing

By Lyon, et al.
(Hightower, Carter)

S.J.R. No. 4

Substitute the following for S.J.R. No. 4:

By Oliveira

C.S.S.J.R. No. 4

SENATE JOINT RESOLUTION

1 proposing a constitutional amendment providing for the
2 authorization for issuance of general obligation bonds for
3 acquiring, constructing, or equipping new corrections institutions,
4 mental health and mental retardation institutions, and youth
5 corrections institutions and for major repair or renovation of
6 existing facilities of those institutions.

7 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

8 SECTION 1. Article III, Section 49-h, of the Texas
9 Constitution is amended by adding Subsection (d) to read as
10 follows:

11 (d)(1) The legislature may authorize the issuance of up to
12 \$440 million in general obligation bonds, in addition to the
13 amounts authorized by Subsections (a) and (c) of this section, and
14 may use the proceeds of the bonds for acquiring, constructing, or
15 equipping new corrections institutions, mental health and mental
16 retardation institutions, and youth corrections institutions and
17 for major repair or renovation of existing facilities of those
18 institutions.

19 (2) The provisions of Subsection (a) of this section
20 relating to the review and approval of bonds and the provisions of
21 Subsection (b) of this section relating to the status of the bonds
22 as a general obligation of the state and to the manner in which the
23 principal and interest on the bonds are paid apply to bonds
24 authorized under this subsection.

1 SECTION 2. This proposed constitutional amendment shall be
2 submitted to the voters at an election to be held on November 5,
3 1991. The ballot shall be printed to provide for voting for or
4 against the proposition: "The constitutional amendment authorizing
5 the issuance of general obligation bonds for acquiring,
6 constructing, or equipping new corrections institutions, mental
7 health and mental retardation institutions, and youth corrections
8 institutions and for major repair or renovation of existing
9 facilities of those institutions."

COMMITTEE REPORT

The Honorable Gib Lewis
Speaker of the House of Representatives

07/19/91
(date)

Sir:

We, your COMMITTEE ON APPROPRIATIONS,

to whom was referred SJR 4 have had the same under consideration and beg to report
(measure)

back with the recommendation that it

() do pass, without amendment.

() do pass, with amendment(s).

(✓) do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. (✓) yes () no

An author's fiscal statement was requested. () yes (✓) no

A criminal justice policy impact statement was requested. () yes (✓) no

An equalized educational funding impact statement was requested. () yes (✓) no

An actuarial analysis was requested. () yes (✓) no

A water development policy impact statement was requested. () yes (✓) no

A federal funds impact statement was requested. () yes (✓) no

() The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

This measure () proposes new law (✓) amends existing law.

House Sponsor of Senate Measure

Allen Hightower/Carter

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Rudd, Ch.	✓			
Williamson, V.C.	✓			
Alexander	✓			
Blackwood	✓			
Bomer				✓
Clemons				✓
Colbert	✓			
Collazo		✓		
Counts	✓			
Cuellar, H.	✓			
Cuellar, R.	✓			
Dutton				✓
Hilbert	✓			
Hunter, B.	✓			
Hunter, T.	✓			
Junell	✓			
Madla	✓			
McCollough	✓			
McDonald	✓			
Oliveira	✓			
Telford	✓			
Thompson, G.	✓			
Vowell	✓			

Total

19 aye

1 nay

0 present, not voting

3 absent

CHAIRMAN

COMMITTEE COORDINATOR

Jim W. Rudd

Wilbur K. McCall

ANALYSIS

S.J.R. 4
By: Lyon, et. al.
(Hightower/Carter)

Committee on
Appropriations

C.S.S.J.R. 4
By: Oliveira

BACKGROUND

Š.B. 111, passed during the 72nd Regular Legislative Session, authorized a comprehensive performance review of state spending, revenue, and service delivery. The results of this review were presented to the Legislature prior to the start of the first called session. The Texas Performance Review recommended that the State of Texas issue bonds for certain construction projects (HS 12, PS 05).

PURPOSE

This resolution calls for a constitutional amendment to authorize the issuance of up to \$440 million in general obligation bonds for acquiring, constructing, equipping, repairing, or renovating new and existing corrections institutions, mental health and mental retardation institutions, and youth corrections institutions.

SECTION-BY-SECTION ANALYSIS

SECTION 1

Amends Article III, Section 49-h, of the Texas Constitution.

Subsection (d)(1) is added which authorizes the legislature to issue, in addition to previous amounts in Section 49-h, up to \$440 million in general obligation bonds. The proceeds of the bonds may be used for acquiring, constructing, equipping, repairing, or renovating corrections institutions, mental health and mental retardation institutions, and youth corrections institutions.

Subsection (d)(2) is added which authorizes the legislature to require review and approval of the bonds before issuance by an entity comprised of members from the executive, legislative, and judicial branches. Provides an appropriation of the first money coming into the treasury in each fiscal year, not otherwise appropriated by the state constitution, in an amount necessary to pay the debt service on bonds that mature or become due during the fiscal year.

SECTION 2

Provides for the wording of the ballot and requires the election on the proposed amendment to be held on November 5, 1991.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not delegate rulemaking authority to a state officer, agency, department, or institution.

SUMMARY OF COMMITTEE ACTION

Pursuant to a posting for a formal meeting, the House Appropriations Committee met in a formal meeting on July 19, 1991, to consider S.J.R. 4. The Chair laid out S.J.R. and Rep. Oliveira offered a complete committee substitute to S.J.R. 4. Rep. Oliveira moved to adopt the substitute. There being no objection, the substitute was adopted. Rep. Oliveira moved that S.J.R., as substituted, be reported to the full House with the favorable

recommendation that it do pass and be printed by the following vote: 19 Ayes, 1 Nay, 0 PNV, 3 Absent.

COMPARISON OF ORIGINAL BILL TO THE SUBSTITUTE

The original bill provided for a bond issuance of up to \$1.1 billion in general obligation bonds, the proceeds of which would be used for acquiring, constructing, or equipping new corrections institutions, mental health and mental retardation institutions, and youth corrections institutions and for major repair or renovation of existing facilities of those institutions. The substitute changes the amount of the bond issuance to \$440 million.

jah
7/19/91

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE

July 20, 1991

TO: Honorable Jim Rudd, Chair
Committee on Appropriations
House of Representatives
Austin, Texas

IN RE: House Committee Substitute for
Senate Joint Resolution No. 4,
First Called Session

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Committee Substitute for Senate Joint Resolution 4, First Called Session (proposing a constitutional amendment providing for the authorization for issuance of general obligation bonds for acquiring, constructing, or equipping new corrections institutions, mental health and mental retardation institutions, and youth corrections institutions and for major repair or renovation of existing facilities of those institutions) this office has determined the following:

The resolution proposes a constitutional amendment which, if adopted, would authorize the issuance of up to \$440.0 million in bonds for acquiring, constructing and equipping new corrections institutions, mental health and mental retardation institutions, and youth corrections institutions and for major repair or renovation of existing facilities.

The probable fiscal implication of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Probable Debt Service Cost Out of the General Revenue Fund</u>	<u>Probable Debt Service Cost Out of the State Highway Fund</u>
1992	\$ 20,014,000	\$ 296,000
1993	42,121,000	593,000
1994	42,121,000	593,000
1995	42,121,000	593,000
1996	42,121,000	593,000

Similar annual costs would continue until the bonds are repaid. Total payout for the bonds estimated to be \$843.0 million.

The cost of publication of the resolution to the State is \$60,000.

To the extent the construction of new prisons facilities reduces the number of prisoners held in county correctional facilities, the resolution would result in a savings to counties.

The proposed amendment would be submitted to the voters on November 5, 1991.

Source: Texas Performance Review;
LBB Staff: JO, JWH, DF, RS, NH

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

July 19, 1991

TO: Honorable Jim Rudd, Chair
Committee on Appropriations
House of Representatives
Austin, Texas

IN RE: Senate Joint Resolution No. 4, as
engrossed
First Called Session
By: Lyon

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution 4, as engrossed, First Called Session (proposing a constitutional amendment providing for the authorization for issuance of general obligation bonds for acquiring, constructing, or equipping new corrections institutions, mental health and mental retardation institutions, and youth corrections institutions and for major repair or renovation of existing facilities of those institutions) this office has determined the following:

The resolution proposes a constitutional amendment which, if adopted, would authorize the issuance of up to \$1.1 billion in bonds for acquiring, constructing and equipping new corrections institutions, mental health and mental retardation institutions, and youth corrections institutions and for major repair or renovation of existing facilities.

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<u>Fiscal Year</u>	<u>Probable Debt Service Cost Out of the General Revenue Fund</u>	<u>Probable Debt Service Cost Out of the State Highway Fund</u>
1992	\$ 18,494,000	\$ 104,000
1993	101,894,000	573,000
1994	101,894,000	573,000
1995	101,894,000	573,000
1996	101,894,000	573,000

Similar annual costs would continue until the bonds are repaid. Total payout for the bonds estimated to be \$2.1 billion.

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Source: Texas Performance Review; Bond Review Board;
LBB Staff: JO, JWH, DF, RS, LC

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

July 17, 1991

**TO: Honorable Bill Haley, Chairman
Committee on Administration
Senate Chamber
Austin, Texas**

**IN RE: Senate Joint Resolution No. 4, as
amended
First Called Session
By: Lyon**

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LBB Staff: JO, JWH, DF, RS, LC**

LEGISLATIVE BUDGET BOARD**Austin, Texas****FISCAL NOTE****July 15, 1991**

TO: Honorable Bill Haley, Chairman
Committee on Administration
Senate Chamber
Austin, Texas

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By: Lyon

FROM: Jim Oliver, Director

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The resolution proposes a constitutional amendment which, if adopted, would authorize the issuance of up to \$417.2 million in bonds for acquiring, constructing and equipping new corrections institutions, mental health and mental retardation institutions, and youth corrections institutions and for major repair or renovation of existing facilities.

The probable fiscal implication of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

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To the extent the construction of new prisons facilities reduces the number of prisoners held in county correctional facilities, the resolution would result in a savings to counties.

The proposed amendment would be submitted to the voters on November 5, 1991.

Source: Texas Performance Review;
LBB Staff: JO, JWH, DF, RS, PA

ADOPTED

JUL 22 1997

Betty Manning
Chief Clerk
House of Representatives

FLOOR AMENDMENT NO. ①

BY GREENBERG

- 1 Amend C.S.C.J.R. No. 4 as follows:
- 2 On page 2, after line 5, between "bonds" and "for" insert
- 3 "of up to \$440 million"

ADOPTED

as amended

JUL 22 1991

Betty Messing
Chief Clerk
House of Representatives

By Lyon, et al.

S. J.R. No. 4

Substitute the following for S. J.R. No. 4 :

By Oliveira

C.S.S. J.R. No. 4

SENATE JOINT RESOLUTION

1 proposing a constitutional amendment providing for the
2 authorization for issuance of general obligation bonds for
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7 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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12 \$440 million in general obligation bonds, in addition to the
13 amounts authorized by Subsections (a) and (c) of this section, and
14 may use the proceeds of the bonds for acquiring, constructing, or
15 equipping new corrections institutions, mental health and mental
16 retardation institutions, and youth corrections institutions and
17 for major repair or renovation of existing facilities of those
18 institutions.

19 (2) The provisions of Subsection (a) of this section
20 relating to the review and approval of bonds and the provisions of
21 Subsection (b) of this section relating to the status of the bonds
22 as a general obligation of the state and to the manner in which the
23 principal and interest on the bonds are paid apply to bonds
24 authorized under this subsection.

S.J.R. No. 4

1 SECTION 2. This proposed constitutional amendment shall be
2 submitted to the voters at an election to be held on November 5,
3 1991. The ballot shall be printed to provide for voting for or
4 against the proposition: "The constitutional amendment authorizing
5 the issuance of general obligation bonds for acquiring,
6 constructing, or equipping new corrections institutions, mental
7 health and mental retardation institutions, and youth corrections
8 institutions and for major repair or renovation of existing
9 facilities of those institutions."

CONFERENCE COMMITTEE REPORT FORM

RECEIVED
SECRETARY OF SENATE

Austin, Texas

91 AUG 13 All : 38

August 13, 1991

Date

Honorable Bob Bullock
President of the Senate

Honorable Gibson D. "Gib" Lewis
Speaker of the House of Representatives

ADOPTED
31 years Mary
AUG 13 1991

John L. King
Secretary of the Senate

Sir:

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on SJR 4 have met and had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

Thomson

Senator Lyon

Moncrief

Senator Moncrief

Bob Glasgow

Senator Glasgow

Senator Whitmire

On the part of the Senate
Senator Ellis

Allen

Representative Hightower

Stiles

Representative Stiles

Bill G. Carter

Representative Carter

Russell

Representative Russell

On the part of the House
Representative Granoff

Note to Conference Committee Clerk:

Please type the name of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. Three copies are then filed in the Senate and three copies filed in the House of Representatives.

AUG 13 1991

*Recd and filed with Secretary of
Senate 11:35 AM*

~~By Lyon~~

No.
S.J.R. 4

SENATE JOINT RESOLUTION

1 proposing a constitutional amendment providing for the
2 authorization for issuance of general obligation bonds for
3 acquiring, constructing, or equipping new prisons and other
4 punishment facilities to confine criminals, mental health and
5 mental retardation institutions, and youth corrections
6 institutions, for major repair or renovation of existing
7 facilities of those institutions, and for the acquisition of,
8 major repair to, or renovation of other facilities to convert
9 those facilities into state prisons or other punishment
10 facilities.

11 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

12 SECTION 1. Article III, Section 49-h, of the Texas
13 Constitution is amended by adding Subsection (d) to read as
14 follows:

15 (d) (1) The legislature may authorize the issuance of up to
16 \$1.1 billion in general obligation bonds, in addition to the
17 amount authorized by Subsections (a) and (c) of this section, and
18 may use the proceeds of the bonds for acquiring, constructing, or
19 equipping new prisons and substance abuse felony punishment
20 facilities to confine criminals, mental health and mental
21 retardation institutions, and youth corrections institutions, for
22 major repair or renovation of existing facilities of those
23 institutions, and for the acquisition of, major repair to, or
24 renovation of other facilities for use as state prisons or

1 substance abuse felony punishment facilities. Proceeds of
 2 general obligation bonds issued under this subdivision may not be
 3 appropriated by any session of the Legislature other than the
 4 ^{2nd} ~~second~~ called session of the 72nd Legislature or any subsequent
 5 session of the Legislature.

6 (2) The provisions of Subsection (a) of this section
 7 relating to the review and approval of bonds and the provisions
 8 of Subsection (b) of this section relating to the status of the
 9 bonds as a general obligation of the state and to the manner in
 10 which the principal and interest on the bonds are paid apply to
 11 bonds authorized under this subsection.

12 SECTION 2. This proposed constitutional amendment shall be
 13 submitted to the voters at an election to be held on November 5,
 14 1991. The ballot shall be printed to provide for voting for or
 15 against the proposition: "The constitutional amendment
 16 authorizing the issuance of up to \$1.1 billion in general
 17 obligation bonds for acquiring, constructing, or equipping new
 18 prisons or other punishment facilities to confine criminals,
 19 mental health and mental retardation institutions, and youth
 20 corrections institutions, for major repair or renovation of
 21 existing facilities of those institutions, and for the
 22 acquisition of, major repair to, or renovation of other
 23 facilities for use as state prisons or other punishment
 24 facilities." ^{2/3}

SJR 4 Side-by-Side Analysis

SENATE VERSION	HOUSE VERSION	CONFERENCE COMMITTEE VERSION
<p>Section 1</p> <p>Amends the Texas Constitution to authorize the Legislature to issue up to \$1.1 billion in general obligation bonds, in addition to amounts previously authorized to buy, build, equip, repair, or renovate corrections institutions, youth corrections institutions, and mental health and mental retardation institutions.</p> <p>Section 2</p> <p>No similar provision</p>	<p>Same, except the amount of bonds authorized is reduced to \$440.00 million.</p> <p>Section 2</p> <p>No similar provision.</p>	<p>Same as Senate version; in addition, allows for bonds to be used to acquire, repair, or renovate other facilities for use as state prisons or substance-abuse facilities. Proceeds of general obligation bonds may not be appropriated by any session other than the Second Called Session of the 72nd Legislature.</p> <p>Section 2</p> <p>Requires that ballot state the purpose of the constitutional amendment, and conforms wording of ballot to change made in Sec.1.</p>

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

August 13, 1991

Date

Honorable Bob Bullock
President of the Senate

Honorable Gibson D. "Gib" Lewis
Speaker of the House of Representatives

Sir:

ADOPTED

AUG 13 1991

Betty Murray
Chief Clerk
House of Representatives

by a record
vote of

147 yeas

1 nay

0 present-
not-voting

91 AUG 13 PM 12:22

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on _____ have met and had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

Honorable _____

Honorable _____

Honorable _____

Honorable _____

On the part of the Senate

Honorable _____

Honorable _____

Honorable _____

Honorable _____

Honorable _____

On the part of the House

Honorable _____

Note to Conference Committee Clerk:

Please type the name of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. Three copies are then filed in the Senate and three copies filed in the House of Representatives.

SENATE JOINT RESOLUTION

1 proposing a constitutional amendment providing for the
2 authorization for issuance of general obligation bonds for
3 acquiring, constructing, or equipping new prisons and other
4 punishment facilities to confine criminals, mental health and
5 mental retardation institutions, and youth corrections
6 institutions, for major repair or renovation of existing
7 facilities of those institutions, and for the acquisition of,
8 major repair to, or renovation of other facilities to convert
9 those facilities into state prisons or other punishment
10 facilities.

11 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

12 SECTION 1. Article III, Section 49-h, of the Texas
13 Constitution is amended by adding Subsection (d) to read as
14 follows:

15 (d) (1) The legislature may authorize the issuance of up to
16 \$1.1 billion in general obligation bonds, in addition to the
17 amount authorized by Subsections (a) and (c) of this section, and
18 may use the proceeds of the bonds for acquiring, constructing, or
19 equipping new prisons and substance abuse felony punishment
20 facilities to confine criminals, mental health and mental
21 retardation institutions, and youth corrections institutions, for
22 major repair or renovation of existing facilities of those
23 institutions, and for the acquisition of, major repair to, or
24 renovation of other facilities for use as state prisons or

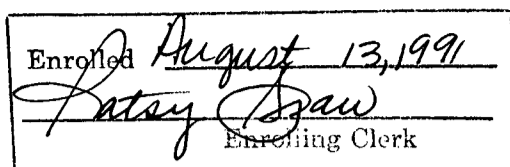
1 substance abuse felony punishment facilities. Proceeds of
2 general obligation bonds issued under this subdivision may not be
3 appropriated by any session of the Legislature other than the
4 second called session of the 72nd Legislature or any subsequent
5 session of the Legislature.

6 (2) The provisions of Subsection (a) of this section
7 relating to the review and approval of bonds and the provisions
8 of Subsection (b) of this section relating to the status of the
9 bonds as a general obligation of the state and to the manner in
10 which the principal and interest on the bonds are paid apply to
11 bonds authorized under this subsection.

12 SECTION 2. This proposed constitutional amendment shall be
13 submitted to the voters at an election to be held on November 5,
14 1991. The ballot shall be printed to provide for voting for or
15 against the proposition: "The constitutional amendment
16 authorizing the issuance of up to \$1.1 billion in general
17 obligation bonds for acquiring, constructing, or equipping new
18 prisons or other punishment facilities to confine criminals,
19 mental health and mental retardation institutions, and youth
20 corrections institutions, for major repair or renovation of
21 existing facilities of those institutions, and for the
22 acquisition of, major repair to, or renovation of other
23 facilities for use as state prisons or other punishment
24 facilities."

SJR 4 Side-by-Side Analysis

SENATE VERSION	HOUSE VERSION	CONFERENCE COMMITTEE VERSION
<p>Section 1</p> <p>Amends the Texas Constitution to authorize the Legislature to issue up to \$1.1 billion in general obligation bonds, in addition to amounts previously authorized to buy, build, equip, repair, or renovate corrections institutions, youth corrections institutions, and mental health and mental retardation institutions.</p> <p>Section 2</p> <p>No similar provision</p>	<p>Same, except the amount of bonds authorized is reduced to \$440.00 million.</p> <p>Section 2</p> <p>No similar provision.</p>	<p>Same as Senate version; in addition, allows for bonds to be used to acquire, repair, or renovate other facilities for use as state prisons or substance-abuse facilities. Proceeds of general obligation bonds may not be appropriated by any session other than the Second Called Session of the 72nd Legislature.</p> <p>Section 2</p> <p>Requires that ballot state the purpose of the constitutional amendment, and conforms wording of ballot to change made in Sec.1.</p>



S.J.R. No. 4

SENATE JOINT RESOLUTION

1 proposing a constitutional amendment providing for the
2 authorization for issuance of general obligation bonds for
3 acquiring, constructing, or equipping new prisons and other
4 punishment facilities to confine criminals, mental health and
5 mental retardation institutions, and youth corrections
6 institutions, for major repair or renovation of existing facilities
7 of those institutions, and for the acquisition of, major repair to,
8 or renovation of other facilities to convert those facilities into
9 state prisons or other punishment facilities.

10 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

11 SECTION 1. Article III, Section 49-h, of the Texas
12 Constitution is amended by adding Subsection (d) to read as
13 follows:

14 (d)(1) The legislature may authorize the issuance of up to
15 \$1.1 billion in general obligation bonds, in addition to the amount
16 authorized by Subsections (a) and (c) of this section, and may use
17 the proceeds of the bonds for acquiring, constructing, or equipping
18 new prisons and substance abuse felony punishment facilities to
19 confine criminals, mental health and mental retardation
20 institutions, and youth corrections institutions, for major repair
21 or renovation of existing facilities of those institutions, and for
22 the acquisition of, major repair to, or renovation of other
23 facilities for use as state prisons or substance abuse felony
24 punishment facilities. Proceeds of general obligation bonds issued

1 under this subdivision may not be appropriated by any session of
2 the legislature other than the 2nd Called Session of the 72nd
3 Legislature or any subsequent session of the legislature.

4 (2) The provisions of Subsection (a) of this section
5 relating to the review and approval of bonds and the provisions of
6 Subsection (b) of this section relating to the status of the bonds
7 as a general obligation of the state and to the manner in which the
8 principal and interest on the bonds are paid apply to bonds
9 authorized under this subsection.

10 SECTION 2. This proposed constitutional amendment shall be
11 submitted to the voters at an election to be held on November 5,
12 1991. The ballot shall be printed to provide for voting for or
13 against the proposition: "The constitutional amendment authorizing
14 the issuance of up to \$1.1 billion in general obligation bonds for
15 acquiring, constructing, or equipping new prisons or other
16 punishment facilities to confine criminals, mental health and
17 mental retardation institutions, and youth corrections
18 institutions, for major repair or renovation of existing facilities
19 of those institutions, and for the acquisition of, major repair to,
20 or renovation of other facilities for use as state prisons or other
21 punishment facilities."

S.J.R. No. 4

President of the Senate

Speaker of the House

I hereby certify that S.J.R. No. 4 was adopted by the Senate on June 18, 1991, by the following vote: Yeas 28, Nays 0; July 23, 1991, Senate refused to concur in House amendments and requested appointment of Conference Committee; July 25, 1991, House granted request of the Senate; August 13, 1991, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.J.R. No. 4 was adopted by the House, with amendments, on July 22, 1991, by the following vote: Yeas 125, Nays 20; July 25, 1991, House granted request of the Senate for appointment of Conference Committee; August 13, 1991, House adopted Conference Committee Report by the following vote: Yeas 147, Nays 1.

Chief Clerk of the House

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE

July 20, 1991

TO: Honorable Jim Rudd, Chair
 Committee on Appropriations
 House of Representatives
 Austin, Texas

IN RE: House Committee Substitute for
 Senate Joint Resolution No. 4,
 First Called Session

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Committee Substitute for Senate Joint Resolution 4, First Called Session (proposing a constitutional amendment providing for the authorization for issuance of general obligation bonds for acquiring, constructing, or equipping new corrections institutions, mental health and mental retardation institutions, and youth corrections institutions and for major repair or renovation of existing facilities of those institutions) this office has determined the following:

The resolution proposes a constitutional amendment which, if adopted, would authorize the issuance of up to \$440.0 million in bonds for acquiring, constructing and equipping new corrections institutions, mental health and mental retardation institutions, and youth corrections institutions and for major repair or renovation of existing facilities.

The probable fiscal implication of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Probable Debt Service Cost Out of the General Revenue Fund</u>	<u>Probable Debt Service Cost Out of the State Highway Fund</u>
1992	\$ 20,014,000	\$ 296,000
1993	42,121,000	593,000
1994	42,121,000	593,000
1995	42,121,000	593,000
1996	42,121,000	593,000

Similar annual costs would continue until the bonds are repaid. Total payout for the bonds estimated to be \$843.0 million.

The cost of publication of the resolution to the State is \$60,000.

To the extent the construction of new prisons facilities reduces the number of prisoners held in county correctional facilities, the resolution would result in a savings to counties.

The proposed amendment would be submitted to the voters on November 5, 1991.

Source: Texas Performance Review;
 LBB Staff: JO, JWH, DF, RS, NH

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE

July 19, 1991

TO: Honorable Jim Rudd, Chair
 Committee on Appropriations
 House of Representatives
 Austin, Texas

IN RE: Senate Joint Resolution No. 4, as
 engrossed
 First Called Session
 By: Lyon

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution 4, as engrossed, First Called Session (proposing a constitutional amendment providing for the authorization for issuance of general obligation bonds for acquiring, constructing, or equipping new corrections institutions, mental health and mental retardation institutions, and youth corrections institutions and for major repair or renovation of existing facilities of those institutions) this office has determined the following:

The resolution proposes a constitutional amendment which, if adopted, would authorize the issuance of up to \$1.1 billion in bonds for acquiring, constructing and equipping new corrections institutions, mental health and mental retardation institutions, and youth corrections institutions and for major repair or renovation of existing facilities.

The probable fiscal implication of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Probable Debt Service Cost Out of the General Revenue Fund</u>	<u>Probable Debt Service Cost Out of the State Highway Fund</u>
1992	\$ 18,494,000	\$ 104,000
1993	101,894,000	573,000
1994	101,894,000	573,000
1995	101,894,000	573,000
1996	101,894,000	573,000

Similar annual costs would continue until the bonds are repaid. Total payout for the bonds estimated to be \$2.1 billion.

The cost of publication of the resolution to the State is \$60,000.

To the extent the construction of new prisons facilities reduces the number of prisoners held in county correctional facilities, the resolution would result in a savings to counties.

The proposed amendment would be submitted to the voters on November 5, 1991.

Source: Texas Performance Review; Bond Review Board;
 LBB Staff: JO, JWH, DF, RS, LC

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

July 17, 1991

**TO: Honorable Bill Haley, Chairman
Committee on Administration
Senate Chamber
Austin, Texas**

**IN RE: Senate Joint Resolution No. 4, as
amended
First Called Session
By: Lyon**

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 4, as amended, First Called Session (proposing a constitutional amendment providing for the authorization for issuance of general obligation bonds for acquiring, constructing, or equipping new corrections institutions, mental health and mental retardation institutions, and youth corrections institutions and for major repair or renovation of existing facilities of those institutions) this office has determined the following:

The resolution proposes a constitutional amendment which, if adopted, would authorize the issuance of up to \$1.1 billion in bonds for acquiring, constructing and equipping new corrections institutions, mental health and mental retardation institutions, and youth corrections institutions and for major repair or renovation of existing facilities.

The probable fiscal implication of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Probable Debt Service Cost Out of the General Revenue Fund</u>	<u>Probable Debt Service Cost Out of the State Highway Fund</u>
1992	\$ 18,494,000	\$ 104,000
1993	101,894,000	573,000
1994	101,894,000	573,000
1995	101,894,000	573,000
1996	101,894,000	573,000

Similar annual costs would continue until the bonds are repaid. Total payout for the bonds is estimated to be \$2.1 billion.

The cost of publication of the resolution to the State is \$60,000.

To the extent the construction of new prisons facilities reduces the number of prisoners held in county correctional facilities, the resolution would result in a savings to counties.

The proposed amendment would be submitted to the voters on November 5, 1991.

Source: Texas Performance Review; Bond Review Board;
LBB Staff: JO, JWH, DF, RS, LC

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE

July 15, 1991

TO: Honorable Bill Haley, Chairman
 Committee on Administration
 Senate Chamber
 Austin, Texas

IN RE: Senate Joint Resolution No. 4,
 First Called Session
 By: Lyon

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 4, First Called Session (proposing a constitutional amendment providing for the authorization for issuance of general obligation bonds for acquiring, constructing, or equipping new corrections institutions, mental health and mental retardation institutions, and youth corrections institutions and for major repair or renovation of existing facilities of those institutions) this office has determined the following:

The resolution proposes a constitutional amendment which, if adopted, would authorize the issuance of up to \$417.2 million in bonds for acquiring, constructing and equipping new corrections institutions, mental health and mental retardation institutions, and youth corrections institutions and for major repair or renovation of existing facilities.

The probable fiscal implication of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Probable Debt Service Cost Out of the General Revenue Fund</u>	<u>Probable Debt Service Cost Out of the State Highway Fund</u>
1992	\$ 20,009,000	\$ 296,000
1993	40,018,000	593,000
1994	40,018,000	593,000
1995	40,018,000	593,000
1996	40,018,000	593,000

Similar annual costs would continue until the bonds are repaid. Total payout for the bonds is estimated to be \$811.8 million.

The cost of publication of the resolution to the State is \$60,000.

To the extent the construction of new prisons facilities reduces the number of prisoners held in county correctional facilities, the resolution would result in a savings to counties.

The proposed amendment would be submitted to the voters on November 5, 1991.

Source: Texas Performance Review;
 LBB Staff: JO, JWH, DF, RS, PA

J.R.
S.B. No. 4

President of the Senate

Speaker of the House

I hereby certify that ^{J.R.}S.B. No. 4 ^{was adopted by} ~~passed~~ the Senate on June 18, 1991, by the following vote: Yeas 28, Nays 0; July 23, 1991, Senate refused to concur in House amendments and requested appointment of Conference Committee; July 25, 1991, House granted request of the Senate; August 13, 1991, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

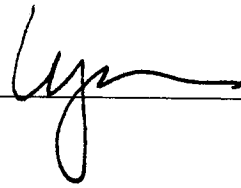
I hereby certify that ^{J.R.}S.B. No. 4 ^{was adopted by} ~~passed~~ the House, with amendments, on July 22, 1991, by the following vote: Yeas 125, Nays 20; July 25, 1991, House granted request of the Senate for appointment of Conference Committee; August 13, 1991, House adopted Conference Committee Report by the following vote: Yeas 147, Nays 1.

Chief Clerk of the House

Approved:

Date

Governor



7-12-91

JUL 15 1991

Filed with the Secretary of the Senate

Read and referred to Committee on

Administration

JUL 17 1991

Reported favorably

as amended

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed

Laid before the Senate

JUN 18 1991

Senate and Constitutional Rules to permit consideration suspended by:

unanimous consent

____ years, ____ nays

JUN 18 1991

Read second time, amended, and ordered engrossed by:~~unanimous consent~~~~a viva voce vote~~

28 years, 0 nays

JUN 18 1991

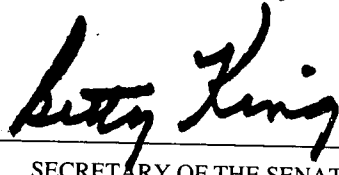
Caption ordered amended to conform to the body of the bill.

JUN 18 1991

Senate and Constitutional 3 Day Rule suspended by a vote of 28 years, 0 nays.

JUN 18 1991

Read third time, _____, and passed by: 28 years, 0 nays



SECRETARY OF THE SENATE

OTHER ACTION:

July 18, 1991
July 19, 1991

Engrossed

Sent to House

Engrossing Clerk

JUL 19 1991

JUL 19 1991

Received from the Senate

JUL 19 1991

Read first time and referred to Committee on

Appropriations

JUL 21 1991

Reported favorably ~~amended~~ ^{Assubst.} sent to Printer

3:35pm

JUL 20 1991

JUL 21 1991

Printed and Distributed

1:35am

JUL 22 1991

Sent to Committee on Calendars

11:53am

Read Second time (amended) and finally adopted

failed adoption by Record Vote of 125 years, 20 nays 0 present not voting.

JUL 22 1991

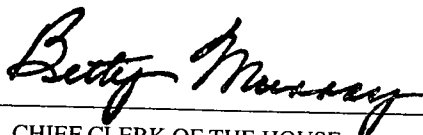
Read third time (amended) and finally adopted

failed adoption by Record Vote of _____ years, _____ nays _____ present not voting.

JUL 22 1991

Caption ordered amended to conform to body of bill.

Returned to Senate.



CHIEF CLERK OF THE HOUSE

JUL 22 1991

Returned from House without amendment.

Returned from House with 2 amendments.

Concurred in House amendments by a viva voce vote _____ years, _____ nays.

JUL 23 1991

Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

Senate conferees instructed.

JUL 23 1991

Senate conferees appointed: Ryan, Chairman; Whitmore
Ellis, Maucrief, and Glasgow

7-25-91

House granted Senate request. House conferees appointed: Wightman Chairman;
Carter, Russell, Granoff, Stiles

AUG 13 1991

Conference Committee Report read and filed with the Secretary of the Senate.

Conference Committee Report adopted on the part of the House by: _____

{ a viva voce vote
_____ yeas, _____ nays

AUG 13 1991

Conference Committee Report adopted on the part of the Senate by: _____

AUG 13 1991

SP 281 relative to
adopted.

{ ~~a viva voce vote~~
31 yeas, 0 nays

OTHER ACTION:

Recommitted to Conference Committee

Conferees discharged.

Conference Committee Report failed of adoption by: _____

{ a viva voce vote
_____ yeas, _____ nays

91 JUL 21 AM 1:35

HOUSE OF REPRESENTATIVES